

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **David Douglas Beagle v Allegan Circuit Judge**
Docket No. **259340**
L.C. No. **03-013303-FH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The complaint for superintending control is **DISMISSED** for lack of jurisdiction since an appeal from the November 8, 2004 order denying plaintiff's motion to withdraw his guilty plea and request for a *Ginther* hearing is available. MCR 3.302(D)(2). If plaintiff still wants to challenge the November 2004 order, plaintiff must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 7 2005

Date

Sandra Schultz Mengel
Chief Clerk